

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE: SUBPOENAS SERVED,)	
UPON BRUCE BARZE AND)	
BARZE TAYLOR NOLES)	Case No: 2:24-mc-01645-AMM
LOWTHER LLC (DAVID AND)	
MARY SILLS vs. SOUTHERN)	
BAPTIST CONVENTION, et al.,)	
N.D. Tenn., No. 3:23-cv-00478),)	

JOINT STIPULATION OF DISMISSAL

COME NOW plaintiffs David and Mary Sills (“Plaintiffs”) and movants R. Bruce Barze, Jr. and Barze Taylor Noles Lowther LLC (“Movants”) (collectively, the “Parties”), and having met and conferred regarding Movant’s Motion to Quash and for Sanctions (Doc. 1), jointly stipulate that this matter is due to be dismissed. The Parties agree and state as follows:

1. In November 2024, Plaintiffs issued a subpoena to Movants seeking documents between Movants and other persons (excluding Movants’ client, former defendant Dr. Eric Geiger) concerning the underlying litigation pending in the Middle District of Tennessee, styled as *David and Mary Sills v. Southern Baptist Convention, et al.*, U.S. District Court, Middle District of Tennessee, Case No. 3:23-cv-00478.

2. On November 26, 2024, Movants filed the subject Motion to Quash and for Sanctions in the United State District Court for the Northern District of Alabama.

3. As part of the meet and confer process, Movants identified the documents shown to and reviewed by Dr. Eric Geiger in preparation for his deposition in the underlying litigation.

4. Although Movants claim the documents requested in Plaintiffs' subpoena are subject to the common interest/joint defense privilege and the work product privilege, Movants objected to providing a privilege log on the grounds that the requested documents were generated after the underlying litigation was filed. In support, Movants cite the Middle District of Tennessee's Administrative Order No. 174-1 entitled "Default Standard for Discovery of Electronically Stored Information."

5. Plaintiffs agree to withdraw without prejudice the subpoena directed to Movants and seek similar discovery from the defendants in the underlying litigation. No subpoena shall be redirected to Movants without first meeting and conferring.

6. In light of the foregoing, the Parties stipulate that this matter is due to be dismissed.

WHEREFORE, the Parties respectfully request that this Court enter an order dismissing this matter.

Respectfully submitted,

/s/ Bruce F. Rogers

Bruce F. Rogers (ASB-2675-E66B)

Elizabeth N. Terenzi (ASB-1139-G40M)

Attorneys for Plaintiffs David and Mary Sills

BAINBRIDGE, MIMS, ROGERS & SMITH, LLP
600 Luckie Drive, Ste. 415
Birmingham, Alabama 35223
Telephone: (205) 879-1100
Facsimile: (205) 879-4300
Email: brogers@bainbridgemims.com

/s/ R. Bruce Barze, Jr.

R. Bruce Barze, Jr.

M. Todd Lowther

Attorneys for Movants

BARZE TAYLOR NOLES LOWTHER, LLC
2204 Lakeshore Drive, Suite 425
Birmingham, AL 35209
Email: bbarze@btnllaw.com
tlowther@btnllaw.com

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2025, I electronically filed the foregoing and served a copy of the foregoing on the following counsel of record:

R. Bruce Barze, Jr.
M. Todd Lowther
Barze Taylor Noles Lowther LLC
2204 Lakeshore Drive, Suite 425
Birmingham, AL 35209
bbarze@btnllaw.com
tlowther@btnllaw.com

*/s/ Bruce F. Rogers*_____

Of Counsel